



Integrating Special Education into Key Authorizer Practices: Rubrics to Examine Charter Applications, Operations, and Renewals

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Building The Capacity of Charter Schools:
Effectively Serving Students With Disabilities

SESSION OVERVIEW



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- Project description
- Integrating special education into key authorizer procedures
 - Authorization/replication
 - Operation
 - Renewal
- Practice:
 - Charter School Scenario #1
 - Charter School Scenario #2
- Discussion/feedback
- Key sources

PROJECT SPONSORS

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National Charter School
Resource Center

National Association of State
Directors of Special Education
(NASDSE)

SPECIAL EDUCATION IN THE CHARTER SECTOR

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Charter schools continue
to struggle to provide
high quality special
education programs...

PROCEDURAL CHALLENGES

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Lack of clarity
about legal
responsibility

- Independent single school district or...
- Part of an existing district

Limited access
to standard
service
infrastructures

- Intermediate agencies
- Cooperatives
- Associations

OPERATIONAL CHALLENGES



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Amassing special
education capacity

Managing limited
special education
dollars

Navigating shared
service delivery

Balancing
autonomy and
accountability

OPPORTUNITIES IN CHARTER SECTOR



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Create-mission driven schools that include students with disabilities by design rather than as an add-on

Develop innovative service provision models in a time-compressed manner absent having to overcome existing policies and practices.

Cultivate special education infrastructures and conduct research to track effectiveness and financial sustainability.

Provide online and hybrid/blended learning environments that support highly individualized learning

CHALLENGE...



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To realize full potential of charter sector, schools must build capacity in order to appeal to and be able to educate students with disabilities.

Charter school authorizers play a critical role in building that capacity.

SPECIAL EDUCATION TECHNICAL ASSISTANCE

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Problem

To date, most technical assistance related to special education has focused on charter school operators but...

SPECIAL EDUCATION TECHNICAL ASSISTANCE



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Problem

...charter school authorizers are uniquely positioned to make certain that:

- new and replication applicants have the capacity to educate children with disabilities and
- existing operators are providing high quality special education and related services to all students with disabilities and are complying with all applicable laws, rules and regulations.

CHARTER AUTHORIZER SPECIAL EDUCATION RUBRIC PROJECT



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Response

Develop three phase “rubric” document for authorizers to improve their capacity to support development and maintenance of high quality special education programs to ensure students with disabilities have equal access to charter schools

RUBRIC DEVELOPMENT



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Data Sources

Existing technical assistance documents produced by: the National Association of State Directors of Special Education (NASDSE)

Research conducted under the auspices of Project SEARCH, SPEDTACS, Project Intersect

TA Customizer projects funded by the U.S. Department of Education

Work commissioned by the Center for Reinventing Public Education (CRPE).

RUBRIC DEVELOPMENT



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Time Line

June – Sept: Draft Rubric

Oct : Vet rubric with key stakeholders, hold focus group at NACSA to gather feedback regarding content

Nov - June: Revise and soft release rubric to select authorizers to pilot

June - Sept: Finalize, disseminate, document pilot, and develop brief regarding implementation

THREE PHASES



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Application/Replication

Operation

Renewal/Reauthorization

APPLICATION PHASE



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Provide authorizers with a tool to assess applicant's capacity to provide a high quality special education program,

Infuse a layer of transparency into the authorization process

Disseminate a blue print for applicants about what they need to do to make certain they are prepared to educate students with disabilities.

APPLICATION PHASE



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Process is different for first time applicants than for existing schools looking to replicate.

Rubric elements for new applicants focus on indications of the group's understanding of the challenges and requirements of serving students with disabilities in a charter setting; those for schools seeking to replicate focus on the track record already established by the organization.

OPERATIONS & OVERSIGHT PHASE



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Help authorizers to ensure that currently operating charter schools are meeting obligations to include students with disabilities appropriately and serve them compliantly for the purpose of building charter school capacity.

RENEWAL & CLOSURE PHASE

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Provide a structure for authorizers to examine individual charter school's practices over the life of charter for the purpose of informing renewal decisions:

- *Child Find*
- *Enrollment procedures*
- *Initial evaluations*
- *Development of IEPs*
- *Provision of related services and transition services*
- *Academic outcomes*

EXAMPLES OF RUBRIC CATEGORIES



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Policies and practices	Records review	Curriculum and instruction	Assessment
Enrollment	Service provision	IEP development	Staffing/administration
Funding	Discipline	Facility	Parent and community engagement
Transportation	Management companies	Virtual/blended learning environments	Academic outcomes

SAMPLE RUBRIC SECTION

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Operations Category	Core Elements	Key Considerations	Best Practices
Enrollment and Retention	Enrollment and retention numbers and categories of students with disabilities and categories of disabilities	<ul style="list-style-type: none">• Does the school monitor the percentage of students with disabilities it enrolls generally? By category of disability?• Does it take ongoing steps to ensure the retention of students with disabilities?	Once the school is up and running, it is important that the plans laid out in the application for fostering the identification and enrollment of students with disabilities are implemented and that the school embraces the ongoing obligation to seek and retain them. In order to ensure success in this area, the school should have a practice of gathering, reviewing, and, where needed, acting on this information.
Admissions	Admission of students without discrimination and in accordance with applicable law	<ul style="list-style-type: none">• Does the school's admission process intentionally or unintentionally impede the admission and/or enrollment of students with disabilities?	As public schools, charter schools may not discriminate on the basis of disability. Admissions and enrollment practices must be consistent with federal and state law requirements. Charter schools engaging in "counseling out" (i.e., seeking to persuade parents of students with disabilities from seeking admission or from accepting a place in the school) are acting improperly and violating applicable law.

SCENARIO DISCUSSION



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Read scenarios

Discuss key challenges

Brainstorm strategies to avoid or resolve challenges

DISCUSSION



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What challenges are you facing related to educating students with disabilities?

To what extent could a more intentional, thorough, and transparent discussion of special education pre-empt or address these challenges?

What strategies have you developed to build your capacity to educate students with disabilities?

What role is your authorizer playing in helping you to build special education capacity?

KEY SOURCES



- Lake, R. (2010). (Ed.). *Unique Schools Serving Unique Students: Charter Schools and Children with Special Needs*. Seattle: Center for Reinventing Public Education.
- O'Neill, P, Wenning, R., & Giovannetti, E. (2002). Serving Students with Disabilities in Charter Schools: Legal Obligations and Policy Options. *West's Education Law Reporter* 1 (Nov. 7, 2002).
- Rhim, L. M., (2007). *Navigating Special Education in Charter Schools Part II: Authorizers' Role in Ensuring Quality Special Education Programs in Charter Schools*. Chicago: National Association of Charter School Authorizers.
- Rhim, L. M. (2007). *Navigating special education in charter schools part I: Critical background information for authorizers*. Chicago: National Association of Charter School Authorizers .
- Rhim, L. M., Ahearn, E. M., Giovannetti, E.A., Lange, C. M., & Warren, S. H. (2004). *Primer for charter school authorizers: Special education requirements and including students with disabilities in charter schools*. Alexandria, VA: National Association of State Directors of Special Education.
- Rhim, L.M., Ahearn, E.M., Lange, C. M., & McLaughlin, M.J. (2004). Balancing disparate visions: An analysis of special education in charter schools. *Taking Account of Charter Schools* (eds. Bulkley, K.E. & Wohlstetter P.) Teachers College: N.Y.
- Rhim, L. M., & Brinson, D. (2010). *Retrofitting Bureaucracy. Factors Influencing Charter Schools' Access to Federal Entitlement Programs*. Lincoln, IL: Center on Innovation and Improvement.
- Rhim, L. M., & Kowal, J. (2008). *Demystifying special education in virtual charter schools*. Alexandria, VA: National Association of State Directors of Special Education.

QUESTIONS OR SUGGESTIONS?

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